

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEANDRE RASHAUN HULBERT,

Defendant.

Hon. Janet T. Neff

Case No. 1:17-cr-00226

ORDER OF DETENTION

This matter is before the Court on the government's motion for pretrial detention. Defendant has been charged in a five-count Indictment. Count 1 charges him with conspiracy to distribute a controlled substance, in violation of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(C); count 2 charges him with possession with intent to distribute controlled substances, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C) and 18 U.S.C. § 2; count 3 charges him with using or maintain a drug-involved premises, in violation of 21 U.S.C. § 856(a)(1) and (b); count 4 charges him with felon in possession of firearms and ammunition, in violation of 18 U.S.C. 922(g)(1); and count 5 charges him with possession of firearms in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i). Given the nature of the charge of count 5, there is a statutory rebuttable presumption in favor of detention.

The government sought defendant's detention on the basis the he is a danger

to the community, 18 U.S.C. § 1342(f)(1). The Court conducted a hearing on December 7, 2017, at which defendant was represented by counsel.

Having considered the information presented at the hearing, the parties' oral submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that defendant has rebutted the presumption of detention as to danger to the community.

The Court also finds, as explained on the record, that the government has sustained its burden of proving, by clear and convincing evidence, that he poses a danger to the community. Further, the Court finds that there is no condition or combination of conditions of release that will ensure the safety of the community. Accordingly,

IT IS ORDERED that defendant is committed to the custody of the Attorney General pending trial.

DONE AND ORDERED on December 7, 2017.

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge